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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,621	02/23/2004	Joel Myerson	10991588-2	2970
<div>7590 01/17/2007 AGILENT TECHNOLOGIES, INC. Intellectual Property Administration Legal Department, DL429 P.O. Box 7599 Loveland, CO 80537-0599</div>			<div>EXAMINER KETTER, JAMES S</div>	
			<div>ART.UNIT 1636</div>	<div>PAPER NUMBER</div>
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	
3 MONTHS			01/17/2007	
			DELIVERY MODE	
			PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT
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PAPER
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20070106

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

--See attached--

The communication filed on 11 May 2006 is not fully responsive to the Office communication mailed 7 April 2006 for the reason(s) set forth on the attached Notice to Comply With the Sequence Rules or CRF Diskette Problem Report. New errors have been introduced into the CRF.

Since the above mentioned reply appears to be bona fide, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY DAYS from the mailing date of this notice, which ever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER C.F.R. 1.136(a).

The addresses below are effective 5 June 2004. Please direct all replies to the United States Patent and Trademark Office via one (1) of the following:

1. Electronically submitted through EFS-Bio ( <<http://www.uspto.gov/ebs/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. Mailed to:  
  
Mail Stop Sequence  
  
Commissioner for Patents  
  
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Alexandria, VA 22313-1450

3. Hand Carry, Federal Express, United Parcel Service or other delivery service

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401 Dulaney Street

Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the Examiner with respect to the examination on the merits should be directed to James Ketter whose telephone number is (571) 272-0770. The Examiner normally can be reached on M-F (9:00-6:30), with alternate Fridays off.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Remy Yucel, can be reached at (571) 272-0781.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to (571) 272-0547.

Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are

available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the type of document you are having an image problem with, the number of pages and the specific nature of the problem. The Patent Electronic Business Center will notify applicants of the resolution of the problem within 5-7 business days. Applicants can also check PAIR to confirm that the problem has been corrected. The USPTO's Patent Electronic Business Center is a complete service center supporting all patent business on the Internet. The USPTO's PAIR system provides Internet-based access to patent application status and history information. It also enables applicants to view the scanned images of their own application file folder(s) as well as general patent information available to the public. 9199.

For all other customer support, please call the USPTO Call Center (UCC) at 800-786-9199.

Jsk  
6 January, 2007



JAMES KETTER  
PRIMARY EXAMINER

## **STIC Biotechnology Systems Branch**

### **RAW SEQUENCE LISTING** **ERROR REPORT**

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 10/785,621  
Source: IFW16  
Date Processed by STIC: 5-15-06

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, TELEPHONE: 571-272-2510; FAX: 571-273-0221

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE **CHECKER VERSION 4.4.0 PROGRAM**, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
3. Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 01/14/05):  
U.S. Patent and Trademark Office, Mail Stop Sequence, Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314

Revised 01/10/06

# Raw Sequence Listing Error Summary

## ERROR DETECTED

## SUGGESTED CORRECTION

SERIAL NUMBER:

10/785,621

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

- 1      Wrapped Nucleics  
    Wrapped Aminos      The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will prevent "wrapping."
- 2      Invalid Line Length      The rules require that a line not exceed 72 characters in length. This includes white spaces.
- 3      Misaligned Amino  
    Numbering      The numbering under each 5<sup>th</sup> amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.
- 4      Non-ASCII      The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.
- 5      Variable Length      Sequence(s)      contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.
- 6      PatentIn 2.0  
    "bug"      A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequences(s)     . Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.
- 7      Skipped Sequences  
    (OLD RULES)      Sequence(s)      missing. If intentional, please insert the following lines for each skipped sequence:  
    (2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)  
    (i) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading)  
    (xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)  
    This sequence is intentionally skipped  
  
    Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences.
- 8      Skipped Sequences  
    (NEW RULES)      Sequence(s)      missing. If intentional, please insert the following lines for each skipped sequence.  
    <210> sequence id number  
    <400> sequence id number  
    000
- 9      Use of n's or Xaa's  
    (NEW RULES)      Use of n's and/or Xaa's have been detected in the Sequence Listing.  
    Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present.  
    In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.
- 10      Invalid <213>  
    Response      Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence
- 11      Use of <220>      Sequence(s)      missing the <220> "Feature" and associated numeric identifiers and responses. Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section.  
    (See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of Sequence Rules)
- 12      PatentIn 2.0  
    "bug"      Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.
- 13      Misuse of n/Xaa      "n" can only represent a single nucleotide; "Xaa" can only represent a single amino acid



IFW16

## RAW SEQUENCE LISTING

DATE: 05/15/2006

PATENT APPLICATION: US/10/785,621

TIME: 15:51:40

Input Set : A:\10991588-2.txt

Output Set: N:\CRF4\05152006\J785621.raw

3 <110> APPLICANT: Agilent Technologies  
 4 Myerson, Joel  
 6 <120> TITLE OF INVENTION: Increasing Ionization Efficiency in Mass Spectrometry  
 8 <130> FILE REFERENCE: 10991588-2  
 10 <140> CURRENT APPLICATION NUMBER: 10/785,621  
 11 <141> CURRENT FILING DATE: 2004-02-23  
 13 <160> NUMBER OF SEQ ID NOS: 6  
 15 <170> SOFTWARE: PatentIn version 3.3  
 17 <210> SEQ ID NO: 1  
 18 <211> LENGTH: 4  
 19 <212> TYPE: PRT  
 20 <213> ORGANISM: Chemically Synthesized  
 22 <400> SEQUENCE: 1  
 24 Lys Ala Lys Ala  
 25 1  
 28 <210> SEQ ID NO: 2  
 29 <211> LENGTH: 9  
 30 <212> TYPE: PRT  
 31 <213> ORGANISM: Chemically Synthesized  
 33 <400> SEQUENCE: 2  
 35 Lys Gly Gly Gly Lys Gly Gly Gly Lys  
 36 1 5  
 39 <210> SEQ ID NO: 3  
 40 <211> LENGTH: 9  
 41 <212> TYPE: PRT  
 42 <213> ORGANISM: Chemically Synthesized  
 44 <400> SEQUENCE: 3  
 46 Lys Ala Lys Ala Lys Leu Lys Val Lys  
 47 1 5  
 50 <210> SEQ ID NO: 4  
 51 <211> LENGTH: 6  
 52 <212> TYPE: PRT  
 53 <213> ORGANISM: Chemically Synthesized  
 56 <220> FEATURE:  
 57 <221> NAME/KEY: Variant  
 58 <222> LOCATION: (1)..(1)  
 59 <223> OTHER INFORMATION: X=N-Trimethyl Lysine  
 61 <220> FEATURE:  
 62 <221> NAME/KEY: Variant  
 63 <222> LOCATION: (3)..(3)  
 64 <223> OTHER INFORMATION: X=N-Trimethyl Lysine  
 66 <220> FEATURE:  
 67 <221> NAME/KEY: Variant

Does Not Comply  
Corrected Diskette Needed  
(Pg. 1-2)

Invalid  
Response

See item #

10 on error summary sheet.

Invalid  
Response

EXI:

<213>  
Responses  
CAN only  
be either  
Artificial/  
Unknown  
or a  
genus/species.

See item #10  
on error summary sheet,  
5/15/2006



## RAW SEQUENCE LISTING

PATENT APPLICATION: US/10/785,621

DATE: 05/15/2006

TIME: 15:51:40

Input Set : A:\10991588-2.txt

Output Set: N:\CRF4\05152006\J785621.raw

68 <222> LOCATION: (5)..(5)  
69 <223> OTHER INFORMATION: X=N-Trimethyl Lysine  
71 <400> SEQUENCE: 4  
W--> 73 Xaa Gly Xaa Gly Xaa Gly  
74 1 5  
77 <210> SEQ ID NO: 5  
78 <211> LENGTH: 7  
79 <212> TYPE: PRT  
80 <213> ORGANISM: Chemically Synthesized  
83 <220> FEATURE:  
84 <221> NAME/KEY: Variant  
85 <222> LOCATION: (1)..(1)  
86 <223> OTHER INFORMATION: X=N-Trimethyl Lysine  
88 <220> FEATURE:  
89 <221> NAME/KEY: Variant  
90 <222> LOCATION: (4)..(4)  
91 <223> OTHER INFORMATION: X=N-Trimethyl Lysine  
93 <220> FEATURE:  
94 <221> NAME/KEY: Variant  
95 <222> LOCATION: (7)..(7)  
96 <223> OTHER INFORMATION: X=N-Trimethyl Lysine  
98 <400> SEQUENCE: 5  
W--> 100 Xaa Ala Ala Xaa Ala Ala Xaa  
101 1 5  
104 <210> SEQ ID NO: 6  
105 <211> LENGTH: 7  
106 <212> TYPE: PRT  
107 <213> ORGANISM: Chemically Synthesized  
110 <220> FEATURE:  
111 <221> NAME/KEY: Variant  
112 <222> LOCATION: (1)..(1)  
113 <223> OTHER INFORMATION: X=N-Trimethyl Lysine  
115 <220> FEATURE:  
116 <221> NAME/KEY: Variant  
117 <222> LOCATION: (3)..(3)  
118 <223> OTHER INFORMATION: X=N-Trimethyl Lysine  
120 <220> FEATURE:  
121 <221> NAME/KEY: Variant  
122 <222> LOCATION: (5)..(5)  
123 <223> OTHER INFORMATION: X=N-Trimethyl Lysine  
125 <220> FEATURE:  
126 <221> NAME/KEY: Variant  
127 <222> LOCATION: (7)..(7)  
128 <223> OTHER INFORMATION: X=N-Trimethyl Lysine  
130 <400> SEQUENCE: 6  
W--> 132 Xaa Leu Xaa Val Xaa Gly Xaa  
133 1 5

Invalid  
ResponseSee item  
#10 on  
error  
Summary  
Sheet.Invalid  
Response

The type of errors shown exist throughout  
the Sequence Listing. Please check subsequent  
sequences for similar errors.

RAW SEQUENCE LISTING ERROR SUMMARY  
PATENT APPLICATION: US/10/785,621

DATE: 05/15/2006  
TIME: 15:51:41

Input Set : A:\10991588-2.txt  
Output Set: N:\CRF4\05152006\J785621.raw

Please Note:

Use of n and/or Xaa have been detected in the Sequence Listing. Please review the Sequence Listing to ensure that a corresponding explanation is presented in the <220> to <223> fields of each sequence which presents at least one n or Xaa.

Seq#:4; Xaa Pos. 1,3,5 ✓

Seq#:5; Xaa Pos. 1,4,7 ✓

Seq#:6; Xaa Pos. 1,3,5,7 ✓

**VERIFICATION SUMMARY**

PATENT APPLICATION: US/10/785,621

DATE: 05/15/2006

TIME: 15:51:41

Input Set : A:\10991588-2.txt

Output Set: N:\CRF4\05152006\J785621.raw

L:73 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:4 after pos.:0  
L:100 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:5 after pos.:0  
L:132 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:6 after pos.:0